Page No (1) (3)

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 4633 /2004

PETITIONER : K.R.Barhai, S/o Late Rai Singh Barhai, aged about 38 years, S.D.O. Forest Kelhari Forest Circle Manendragarh, R/o ward no.17 purani basti near vijay nursery school, Manendragarh, Distt-Korea (C.G.)

P.R. No. 4641 Presented by Shri. Bhumesh dated 26/11/04

VERSUS

RESPONDENTS :

1) State of Chhattisgarh , Through: The Secretary Department of Forest Mantralaya,D.K.S.Bhawan, Raipur (C.G.)

RECEIVED W 26.11.04

2) The Pricipal, Chief Conservator of forest Raipur(C.G.)

3) Conservator of forest, Ambikapur, Distt-Surguja (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4633/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	10-12-2004	

Shri Bhupendra Singh, counsel for the petitioner.

Shri Sudhir Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner has been transferred from Kelhari, Forest Circle, Manendragarh, District Koria to Badalkhol, District Jashpur, vide order dated 4-11-2004 (Annexure-P/7). He also submits that the petitioner is seriously ill and in this regard he has filed documents. He also submits that the petitioner has been transferred during mid session. He also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

(50)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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	Learned counsel for the petitioner submits that the petitioner has not been relieved. He prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observation, this petition stands disposed of. Consequently, M.W.P.No.4946/04 and I.A. No.9242/04 also stand disposed of. Sd/- Fakhruddin Judge	

Gowri

22/12

15.12.04